

# COVINGTON

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## By Electronic Filing

November 1, 2017

Hon. Lorna G. Schofield  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**Re: Abu Nahl v. Abou Jaoude  
No. 15 Civ. 09755 (LGS) (JCF)  
Report on Status of Efforts to Effect Service**

Dear Judge Schofield:

Pursuant to the Court's Order of March 3, 2016, Plaintiffs submit this letter to update the Court regarding their efforts to effect service upon defendants in the above-captioned action. The Court has issued Requests for International Judicial Assistance ("letters rogatory") seeking to serve defendants to this action.

The Court issued a letter rogatory to the Republic of Togo seeking its assistance in serving defendant Oussama Salhab. As of the date of this letter, no certification has been returned affirming that the Togolese authorities have successfully executed the letter rogatory with respect to this defendant.

The Court also issued letters rogatory to the Republic of Lebanon seeking its assistance in serving additional defendants to this action: Georges Zard Abou Jaoude, Ahmad Safa, Mahmoud Hassan Ayash, Hassan Ayash Exchange Company, Ellissa Holding Company, and the Lebanese Canadian Bank. The Lebanese Ministry of Justice has affirmed that judicial warrants for Abou Jaoude, Safa, and Hassan Ayash<sup>1</sup> have been fulfilled. As of the date of this letter, no certification has been returned affirming that

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<sup>1</sup> It is unclear whether the Lebanese authorities served the correct Hassan Ayash: The year of birth specified for Hassan Ayash in the return of letters rogatory differs from the year of birth specified in the Treasury Department's designation of Hassan Ayash as a person whose property is blocked pursuant to the Foreign Narcotics Kingpin Designation Act, 76 Fed. Reg. 5858 (Feb. 2, 2011).

## COVINGTON

Hon. Lorna G. Schofield  
November 1, 2017  
Page 2

the Lebanese authorities have successfully executed the letters rogatory with respect to Hassan Ayash Exchange Company, Ellissa Holding Company, or the Lebanese Canadian Bank.

To ensure proper service on those defendants as to whom letters rogatory have not been returned, Plaintiffs sought the assistance of the Clerk of the Court to serve such defendants by Federal Express. The Clerk of the Court sent Federal Express packages to Mahmoud Hassan Ayash, Hassan Ayash Exchange Company, the Lebanese Canadian Bank, Oussama Salhab, Ellissa Exchange Company, and Mohamad Hamdoun. Plaintiffs understand that Federal Express has successfully delivered service to defendants Mahmoud Hassan Ayash, Hassan Ayash Exchange Company, and the Lebanese Canadian Bank. Copies of the delivery confirmations are attached as Exhibit A. The Federal Express deliveries to Oussama Salhab, Ellissa Exchange Company, and Mohamad Hamdoun were not successful. Plaintiffs subsequently attempted to serve Mohamad Hamdoun by Federal Express and DHL at his home and business in September 2017, but each of these deliveries was refused. Following these attempts, Hamdoun has agreed to waive service pursuant to Fed. R. Civ. P. 4(d).

Respectfully submitted,

/s/ Anthony Herman  
Anthony Herman  
(admitted *pro hac vice*)